

## THEY ALL GAVE \$200 BOND

Temperance Workers Watching Last Friday Assaulted by Negroes. Toughest and Night Owls.

Nine Iola joints were raided last Friday and nine joint-keepers gave bond of \$200 each to appear for trial. During the night several temperance people watching to see what became of the stocks of liquor were assaulted, but the only man openly accused of this work is Jim Allen, the well known negro joint-keeper. The battle is but begun.

For some time the temperance workers who were aroused to renewed activity by the exhortations of Miss Madeline Southard have been laying their net. Liquors have been bought of all the joints by men who will testify on the stand to the sales. Places have been watched, names of witnesses secured and Thursday, fully prepared Miss Southard and others filed the information before the county attorney. Messrs. Birnbaum, Fetterly, Manley and Howard swore to the sales and warrants were issued from the district court that evening, the last one about 8 o'clock. One after another was served until nine men had been arrested as follows: Jim Allen, James Mills, Wm. Speckbottle, Jack McCarty, John Kennedy, L. D. Montgomery, John Doe, Chas. Hickman, (who operated in Cementville) and Felix Thompson (of East Iola.) All gave bond in the sum of \$200 to appear for trial and were restored to liberty.

Experience begets wisdom. At first it was natural that preachers, women and temperance people should be ignorant of liquor business, but they are growing wise. Again and again have Iola joints been raided and empty boxes been found by the officers. The liquors were always saved and the joints re-opened next day. That night the temperance people were on the watch. It was a sort of spontaneous move of all those who had been active to see how effectual the orders had been. In groups they stood about the streets nearly all night, near the closed places.

Drays were going all night. Loads of boxes marked "Anheuser-Busch" were hauled in every direction. The watchers followed. Some went to the Missouri Pacific depot and were loaded into a freight car. Some went to the barns of the draymen and were stored therein. Some, not much, was stored in a rear room of the Odd Fellows block. The temperance people think the officers confiscated hardly any of the goods.

While watching on the north side of the square in the alley, the ministers and temperance people were ordered to move on by a policeman who told them they had no business there. They didn't move. They and the policeman watched a dray come into the alley three times. It went away twice empty—because they were there—and the third time hauled off a load of liquor. The watchers went to the dray, held up lanterns and read names. They also identified the policeman.

Down on West street they watched the loading of another dray and on the east side they saw a dray leave and followed it many blocks. They have notes of where the liquor went, what hour it was taken away, by whom and other interesting data as to the reason so little of the store was confiscated. They are getting wise, these "temperance cranks."

While over on West street Rev. Merry, the Free Methodist minister, and B. M. Collins, a temperance worker, were assaulted and knocked down. They expect to swear out a warrant charging Jim Allen, the negro joint-keeper, with striking the blows. They will swear that they were simply watching and that Allen was three blocks from his own place of business and that he struck powerful blows.

T. E. Birnbaum, another church worker, was assaulted near the court house by a strange negro. Mr. Birnbaum grappled with him and was getting the best of the tussle when another negro came up and kicked him violently in the side. The negroes fled when Birnbaum started off.

Park Postlewaite, a young man with the crowd, was struck by a strange negro while in the alley on the west side. The blow grazed his face and he shoved a kindly but hard-knuckled fist into the left eye of his strange assailant. He went down.

Reports of other fights are not rare, but they seem to have been among young night owls who fought among themselves. It is said one youth was carried to the Tremont Hotel and sewed up by a doctor. But that is another story.

So the issue is drawn between the joint men and the temperance people. It will be decided now whether Iola is too big to be good and whether law or license shall prevail.

On one side, actively engaged, is Miss Southard, assisted by the W. C. T. U., the ministers and the temperance workers. They have not resorted to smashing methods, to lawlessness,

to cure lawlessness. They have appealed to the law of the State to stop law breaking. They will see how near to enforcing that law they can come.

On the other side is that list of men. For five years the same men have been in business more or less, opening up after the storm, going into court or to jail, and they are evidently determined to win. All the dodges of the law have been used by them and they have had the best of the fight heretofore.

Between the two active forces is the great majority of people. Some believe in strict enforcement of the law; some believe in high license. But the issue drawn that night is along new lines. The joint men have the right to use legal impediments, but the others have the same right. Still when it comes to hired negroes slugging Iola ministers who are looking to see how near the law comes to being enforced, it hardly seems probable that the general public will hesitate.

### STILL ISSUING WARRANTS

People are talking about little else than the present war between the temperance workers and the joint-keepers. Comments on the conflict are varied, in some cases women stand up for the joints, and several public officials freely condemn the raiders, the newspapers and everybody who isn't in favor of open saloons, but take it over town generally and a vote would stand about nine to one that the public doesn't mind.

To be sure it is a dreadful shame that a city like Iola should be run by a few cranks; but if they are running it now, who was running it before them? It's a fair field and a straight legal battle and the war is but begun.

Following up the beginning made and already reported, the temperance people have brought other complaints. Rev. Merry swore out a complaint in Judge Potter's court, charging Jim Allen with assault and battery. Jim was arrested, gave bond and will be tried later. Mr. Collins made a similar complaint against him in Judge Hough's court with the same result.

Action has been brought in the police court of the city against all the men prosecuted in the district court, on information filed by the men who furnished the other evidence. The complaint reads like this:

"I, being duly sworn, on oath says that on or about the day of \_\_\_\_\_, in the city of Iola, Allen county, Kansas, \_\_\_\_\_ did then and there unlawfully sell or barter intoxicating liquor within said city at the business house on lot \_\_\_\_\_ in block \_\_\_\_\_, known as the \_\_\_\_\_ house, to one \_\_\_\_\_, contrary to the ordinance in such cases made and provided."

The complaints thus made resulted in the issuing of warrants and the arrest of the men, their bond being fixed at \$100 on each count. If found guilty they may be fined in any amount under \$100 and sent to jail for non-payment of the same. The cases will be heard next Tuesday.

Of these complaints thirteen were issued by the police judge as follows: R. L. Manley swears that Jim Allen sold to him on the 5th; T. Birnbaum swears that Wm. Speckbottle sold to him on the 9th of April, and that George Dracket sold to him the same day; H. A. Ewing that C. R. McCarty sold to him on the 8th; R. L. Manley that C. R. McCarty sold to him on the 8th, that John Kennedy sold to him on the 5th; J. G. Spencer swore that George Dracket sold him on the 9th; A. C. Fetterly that L. D. Montgomery sold him on the 9th, and Lyman Ford on the 9th; S. A. Howard that John Kennedy sold him on the 9th; A. Crotchet that Jim Mills sold him on the 9th; E. W. Bennett that Jim Mills sold him on the 9th; S. A. Howard that Lyman Ford sold him on the 9th.

Thus far Jim Allen has received the most attention having a case in each of four courts. The others have two or three each.

The temperance people have requested the commissioners not to remit the fines of the men now in jail. The closed places are still watched and it is said other warrants will issue and that men will be arrested as fast as places open.

It is the strongest effort ever made to test the question in Iola.

### TEMPERANCE PEOPLE STONED

The most serious development of the present war on the joints occurred Saturday night when a mob of joint sympathizers chased T. E. Birnbaum and John F. McCready six blocks, throwing stones at them and injuring both so that Dr. Shadwick had to take six stitches in the former's head.

The trouble took place about 10 o'clock. A REGISTER reporter saw the two men at the home of C. C. McCarty on south Jefferson street, where they took refuge from the stones and was told the following story of the affair.

Birnbaum, who is a tall, bearded carpenter who lives at 417 South Elm, and John F. McCready, a carpenter who lives at 420 north Buckeye street, made an inspecting tour Saturday night to see if the closed joints were still closed. About 10 o'clock they passed down the alley on the west side of the square. Birnbaum stepped up

## LIGHT AND DARK,

Day and night, sunshine and shadow are not more different from each other than a healthy woman from a sickly woman. The healthy woman carries light and sunshine with her wherever she goes.



The woman who suffers from ill-health casts a shadow on her own happiness and the happiness of others. She cannot help it. Those who suffer cannot smile and sing.

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to the rear door of the McCarty place and tried the knob. He found the door locked. Someone in the alley started for the two men and they left, going north toward West street. The lone man was quickly reinforced from the dark places of the alley and a crowd of a dozen was quickly in pursuit of the two men. Out onto West street across to Washington avenue and south to the New York store, they followed the men. As they crossed to Coutant's corner a rock was thrown after them by someone, striking McCready in the back. He winced and the mob howled with delight.

Birnbaum warned McCready then that they were being pursued and the two walked rapidly east to Steyer's corner, where they turned south. After they passed the alley in the rear of Steyer's store a storm of rocks descended on them. The mob had evidently taken down the alley and waited for them. Birnbaum and McCready ran south, the mob in pursuit, howling and jeering and keeping up the fusillade of rocks. Both men were struck repeatedly and as there seemed no escape and the pursuers were evidently getting more savage every block the men turned in at C. C. McCarty's door and entered the house. A few rocks rattled on the house and the mob waited around for some time and then dispersed.

Mr. McCarty and his wife were both absent from home and only the children were present. When the old folks returned a doctor was summoned and the police was sent for. The police talked to the injured men and after learning all they could departed. Dr. Shadwick arrived and took six stitches in Mr. Birnbaum's head, three in his right ear which was torn by a rock and three just back of his right ear where a rock cut a deep gash. McCready, in addition to the bruise on his back, had a deep cut on top of his head and was nearly knocked senseless. Both men were covered with blood. Birnbaum's collar and shirt being soaked with crimson. After receiving medical attention they were removed to their homes about 12:30 by Dr. Shadwick, and the anxiety of their wives and families allayed.

No arrests have been made and the police say they have no idea as to who did the work. The mob was seen on the street, however, and there are those who tell about how certain young men did some clever work in putting a stop to the temperance foolishness. These parties say they recognized at least four of the pursuing mob.

Up town it was reported by somebody interested that Birnbaum tried to kick in the rear door of McCarty's place. This he and McCready both denied to the REGISTER.

### MCCREADY LOCATED LIQUOR.

Talking about the mobbing Saturday night Mr. McCready stated that he believed the reason he was stoned was because he was suspected of having located a stock of liquor which was hauled out into the country and stored for safekeeping. He says he did this and thinks he was spotted and the mobbing was in punishment for this. In some way he learned that liquor was to be moved and followed a dray, filled with beer cases and whisky kegs out through East Iola and then south across the old Minor ford on Elm creek. There the wagon turned west and the store of liquors was unloaded and piled away beneath a heap of brush on the bank of the creek in a ravine. He lay concealed within easy sight of the performance and says he can identify the dray and the men in charge. Where

the liquor came from he does not know, except that it was hauled out of Iola.

His idea that he was stoned for this does not seem reasonable, however. It is more likely that the mobbing was the spontaneous outbreak of a score of "bar-fies." They have naturally taken up the side of the joint keepers and were lying in hiding in the hope of finding some of the temperance people in the dark. Then they pursued with the natural impulse of savages, considering the chase good sport and good citizenship. Whether any of the joint-keepers had a hand in the affair or instigated it is not known, but it was more likely an outbreak of young men who despise the prohibition law and hate all who would enforce it.

The public is gradually getting worked up to a point where it will take a hand in the row. Many men, business men and quiet citizens, have expressed surprisingly frank opinions as to the benefits their business might derive if all the money spent for liquor were spent for groceries, meats, and clothes. Offers of money and assistance have poured in on the temperance workers and Saturday night's performance will increase the impulse of the reticent middle-class to assist the side of law against the side which is openly opposed to law.

"These poor men," said one woman, referring to Birnbaum and McCready, "are simply taking the blows which wives and children have had to stand in the past." And there is a spirit of martyrdom and of unflinching determination about those temperance people that bodes no good to the whisky man who resorts to violence. A spirit is aroused that will be active after Miss Southard is gone and will fight as long as the law of Kansas gives them the right.

"Etiquette seems to have changed in the matter of gaining admission to joints," one person said. "Here is Mr. Birnbaum stoned for trying the door knob, and I know I have seen men stand there repeatedly, kick the door and clamor loudly for admission and never a hand raised against them."

Incidentally these are troublesome days for the police. It is being charged again and again that they do not see things. Saturday night two of them were on the south-west corner of the square not five minutes before the mobbing occurred. Undoubtedly they know well every person in that mob, yet they cannot tell a single one. Their talk is uniformly in opposition to the temperance movement. They are paid a salary to protect the citizens of Iola and their duty is just as much to protect a Christian temperance worker on the street as to guard a joint from invasion. People are beginning to ask what the city is getting for the salary it pays. Whom are the officers serving?

### MISS SOUTHARD'S SUNDAY TALK.

The opera house was crowded Sunday afternoon to hear Miss Southard. She is always an effective speaker and she had a subject Sunday that was fit and she worked her hearers into an enthusiasm that means business. She called attention to Saturday night's lawlessness; spoke of the blood of martyrs; went after the saloon men for their work and the police for theirs. Toward the close of the talk, after a fine climax in which she told how she expected to be shot by Jim Allen the night she stood near his east side place and he appeared armed and "with murder in his eye," she said she first feared he would shoot and then that he would not. Had he fired she says the people of this town would have arisen and a joint here would be impossible for five years. She said she was willing to pay the penalty. Then she called for volunteers, for workers to prosecute the anti-liquor war. She warned them of danger, the abuse, the scorn and possibly the death of those who served. About two hundred, it is said, offered to share in the danger, the labor and the reward.

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